

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
MACON DIVISION
AT MACON, GEORGIA



MINUTE SHEET OF COURT PROCEEDING [CONTESTED]

Date: November 16, 2017

Hearing Type: Jury Trial-Day 4

Judge: **LESLIE J. ABRAMS**

Court Reporter: Darlene Fuller

Courtroom Deputy: Felicia Rushing

Law Clerk: Kristin Royal

Case Number: 5:13-cv-306(LJA)

YKK CORPORATION, *et al.*

Counsel: Steven D Moore
David Alan Reed
Michael A Bertelson
Courtney S Dabbieri

vs.

VELCRO USA INC

Counsel: Christopher O Green
Bailey K Benedict
Frank E Scherkenbach
Sara Fish
Thad C Kodish
Jacqueline Tio
Lawrence Jarvis

DISCLAIMER: CONTENTS OF THIS MINUTE SHEET ARE FOR ADMINISTRATIVE PURPOSES ONLY AND ARE NOT MEANT AS A SUBSTITUTION FOR THE OFFICIAL COURT RECORD. ATTORNEYS SHOULD CONTACT THE COURT REPORTER AND ORDER A TRANSCRIPT IF THERE ARE ANY QUESTIONS AS TO THE CONTENTS HEREIN.

Court time for JS10/MJSTAR: 7/05

8:43 Called to order. Preliminary remarks by the Court.
Matters taken up outside presence of jury. Discussion re: presentation slides 10 - 29.
Counsel made arguments. The Court made findings and presentation slides 10 - 29 are admissible. The Court instructed the parties to prepare jury instructions re: presentation slides 10 - 29.
Discussion re: witness proposed testimony.
Counsel made arguments. The Court made findings and reserved ruling.
9:22 Jury returned. Direct examination continued.
9:25 Defendants' Exhibit D7 admitted.

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9:30 Defendants' Exhibit D36 admitted.
9:33 Defendants' Exhibit D11 admitted.
9:47 Defendants' Exhibit D81 admitted without objection from Plaintiff to the extent that it is not already in evidence.
10:03 Joint Exhibit J007 admitted.
10:06 Defendants' Exhibit D109 admitted.
10:12 Mr. Reed cross examination.
10:22 Mr. Green re-direct examination.
10:23 Mr. Reed re-cross examination.
10:24 The Court reviewed jury questions. Jury excused.
10:27 Discussion re: jury questions. The Court will allow the jury questions with jury instructions.
10:40 Discussion re: witness proposed testimony.
10:56 Recessed.
11:08 Resumed. Matters taken up outside presence of jury.
11:11 Jury returned. The Court addressed jury re: jury questions with jury instructions.
11:15 Witness excused. Witness Tsuyoshi Minato video deposition published.
11:37 Defendants' Exhibit D189 admitted without objection from Plaintiff to the extent that it is not already in evidence.
11:38 Witness Ryuichi Murasaki video deposition published.
11:58 Jury excused. Matters taken up outside presence of jury.
Discussion re: witness testimony.
12:25 Recessed.
1:23 Resumed. Jury returned. Witness Dr. Haskell Beckham called. Witness sworn.
Mr. Kodish direct examination.
1:36 Dr. Beckham admitted as expert witness. Jury instructions by the Court. Direct examination continued.
1:46 Defendants' Exhibit D276 admitted. Direct examination continued.
1:48 Defendants' Exhibit D286 admitted. Direct examination continued.
1:50 Defendants' Exhibit D287 admitted. Direct examination continued.
1:52 Defendants' Exhibit D288 admitted. Direct examination continued.
2:23 Mr. Moore objected. Sidebar. Direct examination continued.
2:41 Mr. Moore cross examination.
3:08 Jury excused. Matters taken up outside presence of jury.
Discussion re: figure 17. The Court made findings and upheld previous ruling.
3:17 Recessed.
3:34 Resumed. Jury returned. Cross examination continued.
4:15 Mr. Kodish re-direct examination. Witness excused.
4:18 Jury excused.
Defendants' Exhibits D005, DP10, DP11, DP16, DP17 and D274 admitted.
Joint Exhibit J063 withdrawn.
Joint Exhibit J043 admitted and Plaintiffs' Exhibit J020 withdrawn.
4:27 Recessed.

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4:38 Resumed. Matters taken up outside presence of jury.
Mr. Moore made oral motion for Rule 50(b). The Court reserved ruling pending a written motion at a later date for consideration.
Ms. Bailey made oral motion for Rule 50(b). The Court reserved ruling pending a written motion at a later date for consideration.

4:43 Charge conference.

4:56 Recessed.

5:06 Resumed. Plaintiffs rested. Defendants rested. Jury returned.

5:08 Jury instructions by the Court.

5:36 Jury excused. Matters taken up outside presence of jury.
Recessed.